

# REVISED DUTY TO CO-OPERATE SCOPING FRAMEWORK

October 2020

## **Surrey Heath Borough Council**

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# CONTENTS

1	Background.....	4
2	National Legislation and Policy.....	5
3	Surrey Heath Strategic Context.....	7
	Figure 1: Relationship with surrounding local authorities .....	8
	Figure 2: Thames Basin Heaths Special Protection Area .....	9
4	Duty to Co-operate Engagement Mechanisms.....	11
	Table 1: Table of existing Partnership Meetings (relevant to Plan making) .....	11
	Other engagement mechanisms.....	13
5	Identifying Strategic Matters .....	14
	Housing and Economic Needs.....	14
	Natural and Historic Environment .....	14
	Infrastructure.....	14
	Climate Change.....	15
6	Detail of Strategic Matters and relevant bodies.....	15
	Housing and Economic Needs .....	15
	Matter 1: Meeting Housing Needs.....	15
	Matter 2: Meeting needs for Gypsies and Travellers and Travelling Showpeople.....	16
	Matter 3: Delivering Economic growth including retail .....	17
	Natural Environment.....	18
	Matter 4: Thames Basin Heaths Special Protection Area (TBHSPA).....	18
	Matter 5: Natural and Historic Environment and Green Belt.....	19
	Matter 6: Flooding.....	20
	Infrastructure .....	21
	Matter 7: Transport.....	21
	Matter 8: Social infrastructure (Healthcare and Education).....	22
	Matter 9: Utilities including water and waste water .....	23
	Climate Change .....	24
	Matter 10: Climate Change .....	24
7	Next Steps.....	25
	Appendix 1: Responses to the Surrey Heath Draft Duty to Co-operate Scoping Report..	26
	Surrey County Council and Local Authorities.....	26
	Berkshire Unitary Authorities .....	32

Hampshire County Council and Local Authorities..... 32  
Prescribed Bodies..... 33  
Other Consultees..... 35

# I BACKGROUND

- I.1 Surrey Heath Borough Council is preparing a new Local Plan to cover the period 2019 to 2037. The Council has a legal duty to co-operate on strategic planning matters with neighbouring local authorities, Surrey County Council and other prescribed bodies. The purpose of this Duty to Co-operate Scoping is to identify the strategic matters and duty to co-operate bodies that are relevant to the preparation of the Surrey Heath Local Plan and to set out how appropriate on-going engagement will take place.
- I.2 In 2017 the Council consulted on a Duty to Co-operate Scoping report setting out the strategic cross boundary planning matters relevant to the emerging Surrey Heath Local Plan and the duty to co-operate bodies relevant to each matter. Following consultation the Scoping Report was amended and published alongside the Surrey Heath Local Plan Issues and Preferred Options in 2018.
- I.3 Since that time there were a number of changes to national planning policy and legislation which led the Council to take the opportunity to review the Duty to Co-operate Scoping Report alongside preparation of the next version of the Local Plan (further Regulation 18 consultation) to be subject to consultation in 2021. In particular, there had been a revised National Planning Policy Framework, 2019 with associated updates to the Planning Practice Guidance, changes to the way in which housing numbers are calculated, and greater emphasis on climate change with the declaration of national and local Climate Change Emergencies.
- I.4 The main changes to this revised Duty to Co-operate Scoping Framework are:
- Recognition of climate change as a strategic cross cutting matter;
  - Recognition of education as a strategic cross cutting matter;
  - Slight readjustments to the identification of strategic matters;
  - Slight readjustments to the bodies identified as relevant to each strategic matter.
- I.5 The revised Duty to Co-operate Scoping Framework was subject to consultation in July – September 2020. All prescribed duty to co-operate bodies were consulted as well as other relevant organisations including Parish Councils and utility companies. A total of 21 responses were received and summarised as set out in Appendix I. The Scoping Framework will help to guide ongoing co-operation and discussions to ensure that the Borough Council can meet the legal Duty.

- 1.6 Notwithstanding the review of the Duty to Co-operate Scoping, on-going engagement with relevant bodies has been taking place since the start of Local Plan preparation. This has included discussions with Hart and Rushmoor regarding housing delivery, ongoing engagement with those authorities affected by the Thames Basin Heaths Special Protection Area, discussions with Surrey County Council on relevant County matters and consultation with all duty to co-operate bodies on the Regulation 18 Issues and Preferred Options Local Plan in 2018.
- 1.7 This Scoping Report deals with the legal Duty to Co-operate with prescribed bodies. However, there are many other key stakeholders with whom the Council will engage in the preparation of the Local Plan in line with the adopted Statement of Community involvement and relevant legislation and guidance. These include Parish Councils, local interest groups, utility providers, and business groups as well as local residents.

## 2 NATIONAL LEGISLATION AND POLICY

- 2.1 The Duty to Co-operate is a requirement of the Localism Act 2011 (section 110). This introduces Section 33a into the Planning and Compulsory Purchase Act which requires on-going collaboration and engagement between neighbouring local authorities and other relevant bodies in the preparation of any development plan and defines the strategic matters which relate to the duty as:
- a) *Sustainable development or use of land that has or would have a significant impact on at least two planning areas, including (in particular) sustainable development or use of land for and in connection with infrastructure that is strategic and has or would have significant impact on at least two planning areas; and*
  - b) *Sustainable development or use of land in a two tier area if the development or use (i) is a county matter, or (ii) has or would have a significant impact on a county matter.*
- 2.2 The Town and Country Planning (England) (Regulations) 2012 sets out a legal test relating to the duty to co-operate and defines the prescribed bodies (in addition to surrounding planning authorities and the County Council) where the Council is required to engage as part of the Duty to Co-operate. These are defined as:
- The Environment Agency
  - Historic England
  - Natural England

- The Mayor of London
- The Civil Aviation Authority
- Homes England
- Clinical Commissioning Groups
- The Office of Rail Regulation
- Transport for London
- Each integrated Transport Authority (not relevant to Surrey Heath)
- Each Highway Authority within the meaning of section 1 of the Highways Act 1980
- The Marine Management Organisation (not relevant to Surrey Heath)

2.3 In addition, although not defined in the same way as the organisations listed above, Local Enterprise Partnerships and Local Nature Partnerships<sup>1</sup> are defined in the Regulations as bodies that local authorities have a duty ‘to have regard to’ so long as those activities are relevant to plan making.

2.4 The National Planning Policy Framework 2019 identifies that effective and on-going joint working between strategic policy-making authorities and relevant bodies is integral to the production of a positively prepared and justified strategy. In particular, the duty to co-operate requirements identify the need for authorities to prepare one or more “Statements of Common Ground” (SoCG). The purpose of SoCGs are to show how cross boundary issues have been jointly addressed and how they will be progressed in the future:

- They are a written record of the progress made by strategic policy-making authorities during the process of planning for strategic cross-boundary matters;
- They document where effective co-operation is and is not happening throughout the plan-making process;
- They are a way of demonstrating at examination that plans are deliverable over the plan period, and based on effective joint working across local authority boundaries; and

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<sup>1</sup> For the purposes of the Duty to Co-operate the Council will consider the Surrey Wildlife Trust to be the representative voice of the Surrey Nature Partnership.

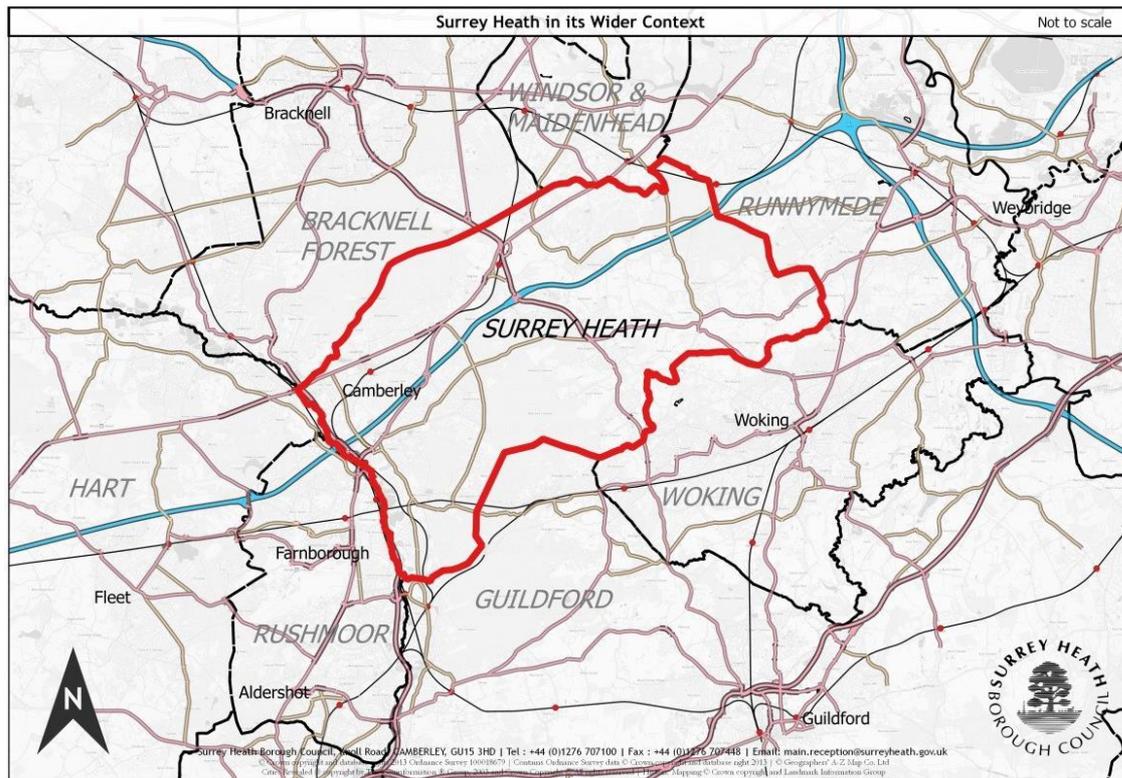
- They form part of the evidence required to demonstrate that a local authority has complied with the duty to co-operate.
- 2.5 As work on the Local Plan progresses the Council will, in consultation with relevant duty to co-operate bodies, consider the Statements of Common Ground that will be needed. Where appropriate, draft Statements of Common Ground will be published alongside the next Regulation 18 Local Plan consultation and will be updated, along with any new Statements at later stages in the plan making process.

### **3 SURREY HEATH STRATEGIC CONTEXT**

3.1 The Borough covers an area of some 9,607 hectares and has a population of just over 89,000. The western half of the Borough is mainly urban in character and comprises a number of settlements with Camberley being the main centre. The eastern half of the Borough is mostly countryside and Green Belt. The Borough lies in the North West Corner of Surrey and adjoins the counties of Berkshire and Hampshire. As shown in Figure 1 it shares boundaries with:

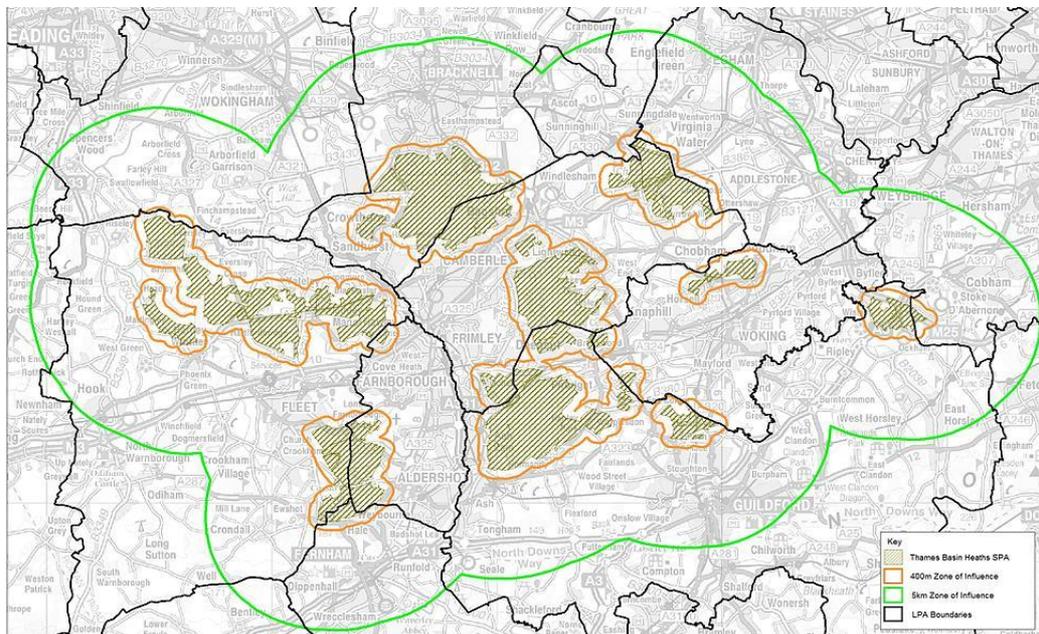
- Bracknell Forest Borough;
- The Royal Borough of Windsor and Maidenhead;
- Runnymede Borough;
- Woking Borough;
- Guildford Borough;
- Rushmoor Borough; and,
- Hart District.

**Figure 1: Relationship with surrounding local authorities**



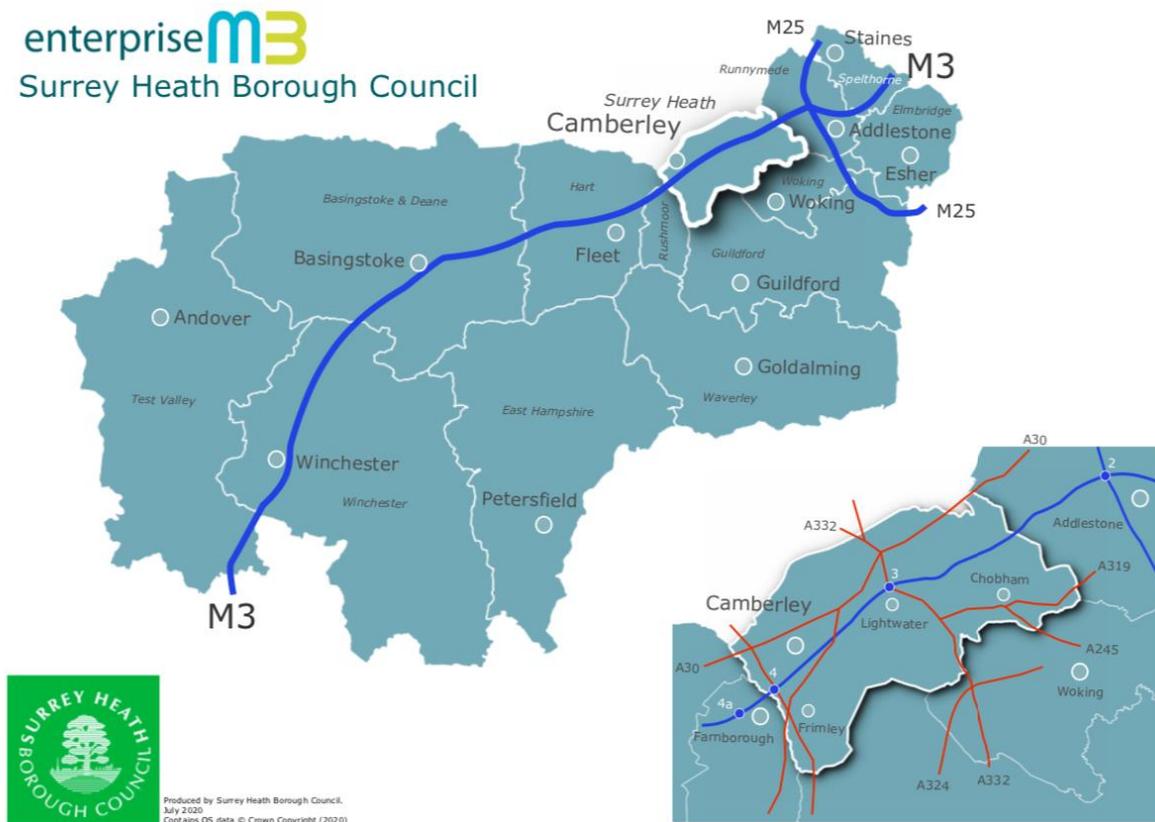
3.2 The Borough contains a number of heathland areas recognised as being of international and national importance which form part of the Thames Basin Heaths Special Protection Area (TBHSPA) that extends across other authorities in Surrey as well as Berkshire and Hampshire, requiring a consistent and co-ordinated approach. The Borough lies wholly within 5km of the TBHSPA and all new residential development is affected by the need for appropriate mitigation measures. Opportunities to provide such mitigation measures within the Borough have proved challenging.

**Figure 2: Thames Basin Heaths Special Protection Area**



- 3.3 Much of the Borough is therefore constrained which impacts on the opportunities for delivering new homes and strengthens the need to work collaboratively with other local authorities.
- 3.4 Surrey Heath lies within the Blackwater Valley with the River Blackwater forming the western boundary of the Borough. The Blackwater Valley authorities work closely together on issues including transport, green infrastructure and economic development. Surrey Heath is identified as being within a Housing Market Area and Functional Economic Area with Hart and Rushmoor Councils.
- 3.5 The Borough is located within the Enterprise M3 Local Enterprise Partnership (LEP) area as shown in Figure 3. Camberley is identified by the LEP as a ‘step – up’ town with latent potential economic growth.
- 3.6 The Borough contains a stretch of the M3 as well as other major transport routes (road and rail) which clearly extend beyond Surrey Heath boundaries. The impact of development in Surrey Heath and cumulatively with development elsewhere on the strategic highway network is a matter which requires collaborative joint working.

**Figure 3: Surrey Heath and the Enterprise M3 LEP**



- 3.7 The Borough also lies within the Surrey Local Nature Partnership (SNYP) which sets out a strategic approach to biodiversity improvement including across Biodiversity Opportunity Areas.
- 3.8 Frimley Park Hospital is located within the Borough and serves parts of Berkshire, Hampshire and Surrey with collaborative working needed across relevant Clinical Commissioning Groups.
- 3.9 The Borough lies within a two tier area and therefore some strategic matters, such as education and strategic highway matters are delivered by, or influenced by Surrey County Council.
- 3.10 The Council declared a Climate Change emergency in October 2019. Measures to meet the national UK net zero carbon emission target by 2050 will need to be taken

across boundaries, and will be influenced by a number of strategic matters identified in this Framework.

## 4 DUTY TO CO-OPERATE ENGAGEMENT MECHANISMS

- 4.1 The Council is actively involved in a number of cross boundary and joint partnerships that will inform the Local Plan. Many of these are formalised, regular meetings or forums where a variety of topics are discussed. Some are tailored for the purposes of producing the Local Plan. The Table below sets out details of regular partnership meetings that have a direct relevance to the preparation of the Local Plan.

**Table 1: Table of existing Partnership Meetings (rele vant to Plan making)**

Partnership/Working Group	Authorities/Organisations involved	Purpose
Surrey Planning Officers Association	All Surrey Heads of Planning.	To agree joint working opportunities and arrangements, consider matters of cross boundary significance and to discuss all other issues of Surrey interest.
Planning Working Group	All Surrey Planning Policy Managers.	To discuss and resolve cross boundary policy issues, share relevant information and experience.
Surrey Heath Partnership	Including Surrey Police and Fire and Rescue, Surrey County Council, Surrey Heath CCG as well as the business community and voluntary sectors.	Sets out a shared 25 year Strategy for the Borough with a shorter term Action Plan.
Thames Basin Heaths Joint Strategic Partnership Board	Councillor representatives from all affected local authorities and County Councils as well as Natural England. Surrey Heath	The Board is set up to ensure a consistent strategic approach to mitigate and manage the impacts of development on the SPA.

	performs the secretarial role in the Partnership.	
Thames Basin Heaths Joint Officers Group	Officer representatives from all affected local authorities and County Councils as well as Natural England.	The Group co-ordinates the strategic policy approaches of mitigating and managing the impacts of development on the SPA. It provides information to the JSPB for strategic decision making.
Enterprise M3 Local Economic Partnership – officer and leaders Board meetings	The Council is represented on various LEP officer groups as well as the LEP Leaders Board.	The LEP looks at the strategic management of resources to achieve economic growth. Currently producing a local industrial strategy for the LEP area.
Surrey Futures Steering Board	Surrey County Council, Surrey authorities, EM3 LEP, Surrey Nature Partnership.	Brings partners together to agree the investment priorities to support the County's economy.
Surrey Leaders Group	Surrey County Council and all Surrey local authority leaders.	Cross boundary issues.
Surrey Heath Health and Wellbeing Board	Includes representatives from Surrey County Council, Surrey Heath CCG and the voluntary sector.	Aims to harness opportunities for promoting and encouraging good health and active lifestyles and prepares the Surrey Heath Health and Wellbeing Strategy.
Surrey Planning and Health Forum	Includes representatives from Surrey County Council, CCGs, Surrey local authorities.	Established in 2019 to strengthen links across planning and health teams. Networking Group that reports to the Health and Wellbeing Board.
Surrey Heath Local Committee	Includes representatives from Surrey County Council and Surrey Heath Borough Council.	Discusses joint initiatives and priorities particularly, but not solely, related to highways matters.
South East Wider Partnership	Includes the 156 authorities and 11 Local Enterprise Partnerships within London,	Joint working to coordinate strategic policy and infrastructure investment more effectively to underpin

	the South East and East of England	economic prosperity across the Wider South East.
Conservation Officers Group	Includes representatives from Historic England and Surrey local authorities.	To discuss heritage in planning decisions and share best practice.

## Other engagement mechanisms

4.2 The mechanisms for co-operation will vary according to the matter and the organisation/s involved. The mechanisms will also evolve as the Local Plan and supporting evidence base progresses. In addition to the above groups, the process of on-going co-operation has and will continue to be via the following:

- Preparation of a Duty to Co-operate Scoping Framework;
- Consultation on emerging drafts of the Surrey Heath Local Plan;
- Officer meetings<sup>2</sup>;
- Officer and Councillor meetings<sup>3</sup>;
- Emails, video and telephone calls;
- Joint evidence/consultation on evidence;
- Feedback on other local authority Local Plans and Policy documents;
- Input into strategic strategies such as the EM3 Industrial Strategy;
- Memoranda of understanding/Statements of Common Ground.

4.3 Preferred methods of engagement will depend on the scale of the issue and discussions with relevant duty to co-operate bodies. The Council will record the process of engagement and co-operation. The Councils annual Authority Monitoring Report also includes a summary of Duty to Co-operate activities undertaken each year.

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<sup>2</sup> These may take place virtually in light of the Covid 19 pandemic

<sup>3</sup> These may take place virtually in light of the Covid 19 pandemic

## 5 IDENTIFYING STRATEGIC MATTERS

5. Further guidance on the duty to co-operate is included in the NPPF and the NPPG. The NPPF (para 20) sets out the strategic priorities which are subject to the duty to co-operate:

- Housing (including affordable housing), employment, retail, leisure and other commercial development;
- Infrastructure for transport, telecommunications, waste management, water supply, wastewater, flood risk and coastal change management, and the provision of minerals and energy (including heat);
- Community facilities (such as health, education and cultural infrastructure); and;
- Conservation and enhancement of the natural and built environment, including landscapes and green infrastructure, and planning measures to address climate change mitigation and adaptation.

5.2 Based on the above, on the previous Scoping Report, and duty to co-operate frameworks of other relevant local authorities, on-going discussions with duty to co-operate bodies, the emerging evidence base and on the characteristics of the Borough, the Council has identified the following potential cross boundary strategic planning matters that should be discussed with relevant duty to co-operate bodies. These are set out in more detail in Section 6.

### Housing and Economic Needs

Matter 1: Meeting Housing Needs

Matter 2: Meeting needs for Gypsies and Travellers and Travelling Showpeople

Matter 3: Delivering Economic growth including retail

### Natural and Historic Environment

Matter 4: Thames Basin Heaths Special Protection Area

Matter 5: Natural Environment and Green Belt

Matter 6: Flooding

### Infrastructure

Matter 7: Transport

Matter 8: Social infrastructure including Healthcare and Education

Matter 9: Utilities including water and waste water

## Climate Change

Matter 10: Climate Change

## 6 DETAIL OF STRATEGIC MATTERS AND RELEVANT BODIES

6.1 The following tables set out further detail on each of the Strategic Matters and identify the relevant duty to co-operate body for each Matter. It should be noted that whilst the Council considers that all those bodies listed may have an interest in one or more strategic matters in relation to the Surrey Heath Local Plan, some bodies may have a more critical role to play in ensuring that effective outcomes are achieved. This will be highlighted in further detail as appropriate in the Councils Duty to Co-operate Compliance Statement to be published alongside the Regulation 18 and 19 versions of the Local Plan, and following on-going discussions with duty to co-operate partners.

## Housing and Economic Needs

### Matter 1: Meeting Housing Needs

Discussion	Relevant duty to Co-operate bodies
<p>A key purpose of the Local Plan is to plan for meeting the Borough's housing needs over the plan period. Surrey Heath lies within a Housing Market Area with Hart and Rushmoor and has worked closely with those authorities in the preparation of their local plans, including through a Joint Member Working Group, and in identifying the potential constraints that Surrey Heath Borough may have in meeting its own housing needs. This joint working included recognition by the Hart Local Plan Inspector</p>	<p><b>Surrey</b></p> <p>Surrey County Council, Epsom and Ewell Borough, Elmbridge Borough, Guildford Borough, Mole Valley, Reigate and Banstead, Runnymede Borough, Spelthorne, Tandridge District, Waverley Borough, Woking Borough</p> <p><b>Berkshire</b></p> <p>Bracknell Forest Borough, Wokingham Borough, Royal Borough of Windsor and Maidenhead (RMWM),</p>

that at that time there was an unmet need of 731 dwellings (identified in Surrey Heaths Issues and Options consultation) which could be met within Hart.

The Inspector’s conclusions did not prejudice the Surrey Heath Local Plan and Surrey Heath will continue to work closely with Hart and Rushmoor as well as other Councils as evidence is prepared to determine whether the Council is able to meet its own needs. The Council will continue to work constructively with other local authorities seeking to meet their own needs but will continue to make authorities aware that due to the constraints in the Borough it is unlikely to be in a position to be able to meet needs arising elsewhere.

The impact of the scale and proposed locations of new housing proposed in the Local Plan will have an impact on a number of other Strategic Matters in this Scoping Report such as transport, social infrastructure and climate change and relevant bodies will be engaged as listed under those Matters.

**Hampshire**

Hampshire County Council, Hart District Council, Rushmoor Borough Council

**Other bodies**

Enterprise M3 LEP Environment Agency, Historic England, Homes England, Mayor of London

**Matter 2: Meeting needs for Gypsies and Travellers and Travelling Showpeople**

Discussion	Relevant duty to Co-operate bodies
<p>In preparing the Local Plan the Council will develop an evidence base assessing the needs of Gypsies and Travellers and Travelling Show people over the plan period. Adjoining</p>	<p><b>Surrey</b> Surrey CC, Guildford Borough, Runnymede Borough, Woking Borough</p>

<p>local authorities have been contacted during the preparation of this evidence.</p> <p>Subject to the findings of this evidence and the opportunities to find additional sites (if required), the Council may need to work with neighbouring authorities if need cannot be wholly met within the Borough.</p> <p>Surrey County Council is coordinating a County wide transit sites project being managed by Surrey Chief Executives.</p>	<p>Transit sites project – SCC and all Surrey Authorities</p> <p><b>Berkshire</b></p> <p>Bracknell Forest Borough, RBWM</p> <p><b>Hampshire</b></p> <p>Hampshire CC, Hart District, Rushmoor Borough</p>
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### Matter 3: Delivering Economic growth including retail

Discussion	Relevant duty to Co-operate bodies
<p>Surrey Heath forms a Functional Economic Area with Hart and Rushmoor, and lies within the Enterprise M3 LEP which recognises Camberley as a step-up town. The Borough also has strong economic linkages with authorities that form part of the Blackwater Valley and with adjoining functional economic areas.</p> <p>The Borough therefore needs to ensure that its policies and allocations in the Local Plan are consistent with supporting the economic strengths of these areas and is aligned with the wider economic ambitions of the LEP. The role of sectors and sites in the Borough that have a wider than local impact will also need to be considered with relevant partners.</p> <p>Camberley Town centre is the main retail and employment centre in the Borough. The new Local Plan will replace the current Camberley Town Centre Area Action Plan</p>	<p><b>Surrey</b></p> <p>Surrey CC, Elmbridge Borough, Guildford Borough, Runnymede Borough, Spelthorne Borough, Tandridge District, Waverley Borough, Woking Borough,</p> <p><b>Berkshire</b></p> <p>Bracknell Forest Borough, Wokingham Borough, RBWM</p> <p><b>Hampshire</b></p> <p>Hampshire CC, Basingstoke &amp; Deane Borough Council, Hart District Council, Rushmoor Borough Council.</p> <p><b>Other bodies</b></p> <p>Civil Aviation Authority, Enterprise M3 LEP, Historic England, Mayor of London</p>

and create a new Camberley Town Centre Strategy and policy framework. Like many other centres, competition with on-line shopping has, even pre COVID-19 created a challenging environment. There are a number of surrounding town centres also used by visitors to Camberley, specifically, Farnborough, Guildford, Reading, Aldershot, Woking and Bracknell. The approach taken towards supporting Camberley town centre will be relevant to those authorities with centres that might be impacted by any future approach.

## Natural Environment

### Matter 4: Thames Basin Heaths Special Protection Area (TBHSPA)

Discussion	Relevant duty to Co-operate bodies
<p>The TBHSPA was designated in March 2005 and is protected from adverse impact by European and UK law. The TBHSPA is a network of heathland sites designated for their ability to provide a habitat for the internationally important bird species of woodlark, nightjar and Dartford Warbler.</p> <p>The TBHSPA covers eleven local authorities. New housing development is considered to have a likely significant effect on the heathland birds and a consistent package of avoidance and mitigation measures for the delivery of new housing needs is in place across the affected authorities. There are well established co-operation mechanisms through both an officer working group and a Joint Members Strategic Partnership Board which includes Natural England. Agreed avoidance and mitigation measures are set out in the Thames Basin Heaths Delivery</p>	<p><b>Surrey</b></p> <p>Surrey CC, Elmbridge Borough, Guildford Borough, Runnymede Borough, Waverley Borough, Woking Borough</p> <p><b>Berkshire</b></p> <p>Bracknell Forest Borough, Wokingham Borough, RBWM</p> <p><b>Hampshire</b></p> <p>Hampshire CC, Hart District, Rushmoor Borough</p> <p><b>Other bodies</b></p> <p>Enterprise M3 LEP, Natural England, Surrey Nature Partnership</p>

Framework 2009 and saved South East Plan Policy NRM6.

One element of mitigation is the delivery of Suitable Alternative Natural Greenspace (SANG). As opportunities for SANG within the Borough have been limited joint working with other authorities, such as shared SANG may be required to enable house building within the Borough. The principles of shared SANG have already been established through joint working with Bracknell Forest, Hart and Rushmoor Councils.

## Matter 5: Natural and Historic Environment and Green Belt

Discussion	Relevant duty to Co-operate bodies
<p>Habitats and ecological networks cross local authority boundaries and therefore require co-operation – see also Matter 4.</p> <p>The Blackwater Valley runs through Berkshire, Hampshire and Surrey and provides an important ecological and recreational asset, which requires a co-ordinated approach.</p> <p>The Surrey Nature Partnership (SyNP) has developed a strategic approach to biodiversity based around Biodiversity Opportunity Areas across Surrey. Five Biodiversity Opportunity Areas have been identified in Surrey Heath.</p> <p>River corridors are also key wildlife features which cross boundaries and co-operation with the Environment Agency is required along with the local authorities covering the river catchments.</p>	<p><b>Surrey</b></p> <p>Surrey County Council, Epsom and Ewell Borough, Elmbridge Borough, Guildford Borough, Mole Valley District, Reigate and Banstead, Runnymede Borough, Spelthorne, Tandridge District, Waverley Borough, Woking Borough</p> <p><b>Berkshire</b></p> <p>Bracknell Forest Borough, Wokingham Borough, RBWM</p> <p><b>Hampshire</b></p> <p>Hampshire CC, Hart District, Rushmoor Borough</p> <p><b>Other bodies</b></p> <p>Environment Agency, Historic England, Natural England, Surrey Nature Partnership</p>

Nearly half of Surrey Heath Borough comprises Metropolitan Green Belt. The Green Belt is a strategic issue relevant across Surrey authorities and adjoining Berkshire authorities. Co-operation is advisable to ensure that a consistent approach is taken when reviewing land within the Green Belt.

The Borough contains a number of heritage assets which join or straddle the borough boundary. This includes Bagshot Registered Park and Garden and the Basingstoke Canal Conservation Area which cross into other local authority areas and a number of assets in close proximity to the borough boundary.

## Matter 6: Flooding

Discussion	Relevant duty to Co-operate bodies
<p>In preparing the Local Plan, the Council will need to identify the potential impacts of delivering the spatial strategy on all forms of flooding in the Borough and potential impacts in neighbouring authorities.</p> <p>The River Blackwater forms the eastern boundary of the Borough. The areas at risk of flooding from the Blackwater extend into Bracknell Forest, Wokingham Borough, Hart District and Rushmoor Borough. The River Bourne (also known as the Addlestone Bourne) flows through the east of the Borough and out toward the River Wey. The other important cross boundary waterway is the Basingstoke Canal that flows through the southern part of the Borough.</p> <p>The Environment Agency (EA) is responsible for the flood defences on main rivers and is a key duty to co-operate body. Natural England is also identified as a duty to co-operate body</p>	<p><b>Surrey</b></p> <p>Surrey CC, Guildford Borough, Woking Borough,</p> <p><b>Berkshire</b></p> <p>Bracknell Forest Borough, Wokingham Borough</p> <p><b>Hampshire</b></p> <p>Hampshire CC, Hart District, Rushmoor Borough</p> <p><b>Other bodies</b></p> <p>Environment Agency, Natural England, Surrey Nature Partnership</p>

as river corridors are an important wildlife feature.

The Council is preparing a Strategic Flood Risk Assessment with input from the Environment Agency and Surrey County Council which will inform discussions on flooding issues.

## Infrastructure

### Matter 7: Transport

Discussion	Relevant duty to Co-operate bodies
<p>In preparing the Local Plan, the Council will need to identify the potential impacts of delivering the Spatial Strategy on the highways network (including the Strategic Highways Network), and identify with partners, any mitigation and how this will be delivered. In addition, there will need to be joint working on sustainable travel including cross boundary sustainable transport networks, including public transport, walking and cycling.</p> <p>The Borough is well connected by road to a number of strategic transport routes linking to London and the south coast. The M3 motorway stretching from London to Southampton crosses through the Borough from east to west and connects to the M25. Other major highways which run through the Borough include the A331 Blackwater Relief Road which runs north to south along the western boundary and the A322 which connects junction 3 of the M3 with the towns of Bracknell to the North and Guildford to the South. The A30 runs east to west through the Borough and connects the Blackwater Valley with London and the South West of England.</p>	<p><b>Surrey</b></p> <p>Surrey CC, Guildford Borough, Runnymede Borough, Woking Borough,</p> <p><b>Berkshire</b></p> <p>Bracknell Forest Borough, RBWM,</p> <p><b>Hampshire</b></p> <p>Hampshire CC, Hart District, Rushmoor Borough</p> <p><b>Other bodies</b></p> <p>Civil Aviation Authority, Enterprise M3 LEP, Highways England, Homes England, Mayor of London, Office of Rail and Road, Transport for London.</p>

<p>Surrey Heath is served by three rail stations at Bagshot, Camberley and Frimley with trains operating on a branch line service between Ascot and Guildford. All three stations have poor access to London Waterloo. Many commuters living in Surrey Heath therefore use nearby faster services from stations outside the Borough at Farnborough, Woking and Sunningdale. Residents and commuter use of rail infrastructure is therefore a strategic cross boundary matter to be considered in the local plan process.</p> <p>The Borough also contains Fair Oaks Airport, an operational general aviation airport between Chobham and Chertsey</p> <p>Cross boundary matters may also include the funding of any strategic improvements required as a result of the cumulative impact of development across a wide geographic area.</p>	
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## Matter 8: Social infrastructure (Healthcare and Education)

Discussion	Relevant duty to Co-operate bodies
<p>Key strategic social infrastructure issues relate to healthcare and education. Frimley Park Hospital lies within the Borough and is part of the Frimley Health NHS Foundation Trust which provides hospital services across Berkshire, Hampshire, Surrey and South Buckinghamshire. Healthcare services are delivered by two Clinical Commissioning Groups covering the Borough. Surrey Heath CCG covers the majority of the Borough with Surrey Heartlands CCG covering a part of the eastern part of the Borough. However, the CCGs also extend beyond the Borough boundary.</p> <p>Regarding education, co-operation will be required with Surrey County Council as local</p>	<p><b>Surrey</b></p> <p>Surrey CC, Guildford Borough, Runnymede Borough, Spelthorne Borough, Waverley Borough, Woking Borough.</p> <p><b>Berkshire</b></p> <p>Bracknell Forest Borough, RBWM</p> <p><b>Hampshire</b></p> <p>Hart District, Rushmoor Borough,</p> <p><b>Other bodies</b></p> <p>Surrey Heath CCG, Surrey Heartlands CCG,</p>

education authority but may be required with the neighbouring authorities as pupils may attend schools outside the Borough and vice versa.

## Matter 9: Utilities including water and waste water

Discussion	Relevant duty to Co-operate bodies
<p>Many services and utilities are provided by private companies and organisations that are not listed as prescribed bodies however with whom we must cooperate to ensure that the necessary infrastructure is in place to support planned growth.</p> <p>Utilities infrastructure includes water supply, waste water, wastewater treatment, energy supply and telecommunications. These services and their associated infrastructure are provided by the private sector utility companies which operate within and around the Borough.</p> <p>A Joint Water Cycle Study was undertaken in 2017 with Rushmoor, Hart and other relevant partners. In preparing the Local Plan consideration must be given to any cross boundary water supply and waste water issues so that future requirements can be delivered.</p> <p>Utility providers are not subject to the duty to co-operate, although the Council will need to work collaboratively with private sector bodies, utility and infrastructure providers in preparing the Local Plan. However, they are not identified as duty to co-operate bodies in</p>	<p><b>Surrey</b></p> <p>Surrey CC, Guildford Borough, Runnymede Borough, Woking Borough,</p> <p><b>Berkshire</b></p> <p>Bracknell Forest</p> <p><b>Hampshire</b></p> <p>Hampshire CC, Hart District, Rushmoor Borough</p> <p><b>Other Bodies</b></p> <p>Environment Agency</p>

this Scoping. Joint working with infrastructure providers will be set out in the Infrastructure Delivery Plan.

## Climate Change

### Matter 10: Climate Change

Discussion	Relevant duty to Co-operate bodies
<p>Climate change is a wide ranging global matter which needs to be addressed on a wider scale than local authorities. Along with many other adjoining and Surrey authorities the Council has declared a Climate Change emergency. Adaptation and mitigation measures relate to a number of the individual Matters previously set out including Flooding, Health, the Natural Environment and Transport.</p> <p>Surrey County Council has adopted a Climate Change Strategy which is likely to include joint working across Surrey authorities and the Borough Council has established a Climate Change working group. Joint working across boundaries will need to take place across the strategic planning matters relevant to climate change, (as well as those outside the Local Plan process) in order to help deliver the national target of net zero carbon emissions by 2050 and local plan reduction targets.</p>	<p><b>Surrey</b></p> <p>Surrey County Council, Epsom and Ewell Borough, Elmbridge Borough, Guildford Borough, Mole Valley, Reigate and Banstead, Runnymede Borough, Spelthorne, Tandridge District, Waverley Borough, Woking Borough</p> <p><b>Berkshire</b></p> <p>Bracknell Forest Borough, Wokingham Borough, RBWM</p> <p><b>Hampshire</b></p> <p>Hampshire County Council, Hart District Council, Rushmoor Borough Council</p> <p><b>Other bodies</b></p> <p>Enterprise M3 LEP Environment Agency, Historic England, Natural England, Office of Rail Regulation, Surrey Nature Partnership</p>

## **7 NEXT STEPS**

- 7.1 Following consultation, this Framework was amended and placed on the Councils website. It forms the basis for duty to cooperate discussions with relevant bodies.

# Appendix I: Responses to the Surrey Heath Draft Duty to Co-operate Scoping Report

## Surrey County Council and Local Authorities

Respondent	Summary of Response	Councils Response
Surrey County Council	Housing - Note that the County Council has an interest in housing needs being met for an aging population and for special needs rather than in delivering housing for general needs.	Noted – these aspects of housing mix would form the basis of duty to co-operate discussions and be identified in future Statements of Common Ground and/or compliance statements.
	Heritage – suggest a new ‘Built and Historic Environment’ Matter.	Noted – having regard to the response from Historic England it is not proposed to add an additional Matter but to amend the title of Matter 5 and to add further detail about cross boundary heritage issues.
	Transport – Transport for Surrey and Transport for Surrey Heath groups no longer exist and should be removed from table I.	Groups removed.
	Education – welcome recognition as a duty to co-operate partner.	Noted
	Gypsy Traveller and Travelling Showpeople provision – no longer have a statutory duty to assess needs or provide plots and sites and do not own any sites in Surrey Heath.	Noted, any new sites may have an impact on County Services so it is agreed with SCC that they should remain as an identified body.

	Other – some minor wording amendments suggested to clarify the status of the County Council in legislation.	Minor amendments made to paragraphs 1.1 and 2.2.
Epsom & Ewell Borough	No comments to make.	Noted
Elmbridge Borough	Matter 2 – Gypsies and Travellers and Travelling Showpeople: understand that SCC are co-ordinating work on possible transit site options which it might be worth mentioning as well as expanding relevant authorities to include all of Surrey.	SCC has confirmed that this is an ongoing project being coordinated by the County Council and managed by Surrey Chief Executives. Additional reference has been added in to Matter 2.
	Matter 3 – Delivering Economic Growth: Suggest Elmbridge should be included as within the EM3 LEP. Queries why Tandridge included.	Elmbridge added to Matter 3. No queries on this Matter raised by Tandridge so no change proposed.
Guildford Borough	Matter 1 – Meeting Housing Needs: Acknowledge the linkages between the relevant HMAs. Notes that Guildford is not in a position to take any unmet housing need that may be identified.	Noted, no change required
	Matter 2 – Gypsies and Travellers and Travelling Showpeople: note that Guildford has made provision for its own traveller needs up to 2034 but is not in a position to contribute towards any unmet needs that might be identified in Surrey Heath. Welcome future joint working on assessing any potential need for transit sites.	Noted, no change required.

	Matter 3 – Delivering Economic Growth including Retail: Notes linkages between the relevant Functional Economic Market Areas. Asks to be kept informed of any retail proposals.	Noted, no change required
	Matter 4: TBHSPA: notes need for continued cooperation.	Noted, no change required
	Matter 5 – Natural Environment and Green Belt: notes matters such as the Blackwater valley and Biodiversity Opportunity Areas that require co-operation. Also considers it important that any Green Belt and Countryside studies follow a consistent approach.	Noted, no change required
	Matter 6 – Flooding: Agree it is a cross boundary issue.	Noted, no change required
	Matter 7 – Transport: Agree this is a strategic issue and welcome ongoing joint work with the borough and SCC.	Noted, no change required
	Matter 8 – Social infrastructure: Notes that a small part of Guildford Borough is served by the Surrey Heath CCG and additional GP capacity is being explored in Ash and Tongham along with an additional IFE planned for Ash Manor Secondary School.	Noted, no change required.
	Matter 9 – Utilities – Notes that the Guildford Water Quality Assessment	Noted, no change required.

	identifies the need to upgrade the Ash Vale wastewater treatment works.	
	Matter 10 – Climate Change: Agree that this is a cross boundary matter and welcome further joint working.	Noted, no change required.
Mole Valley District	Matter 1- Meeting Housing Needs: Request further information as to how the Council will explore meeting housing needs and at what stage any unmet housing need figures will be published. Seeks clarification whether the Council will look outside of the HMA to meet unmet needs.	Noted. These Matters will be discussed at relevant duty to co-operate meetings. No change proposed to Scoping Framework.
	Matter 5 – Natural Environment and Green Belt: seeks further clarification on the statement that ‘As each local authority considers whether there are exceptional circumstances to justify amending Green Belt boundaries it is important that there is consistency in approach’. Seeks clarity as to whether this refers to consistency in GB assessment methodologies or the methodology for the assessment of site-specific circumstances for Green Belt release.	Wording revised to provide further clarification.
	Matter 10-Climate Change: Unclear as to which of the relevant planning matters are seen as relating to Mole Valley and seek	This will be discussed at relevant duty to cooperate meetings but in relation to Mole Valley may predominantly relate to matters

	additional clarification on the nature of cross boundary working on this matter.	arising out of the SCC Climate Change Strategy.
Reigate and Banstead	Accept identification on Matters 5 (Natural Environment and Green Belt) and 10 (Climate Change). However, consider that as the authorities are in different HMAs there is little value in working together on housing matters (Matter 1).	The Council agrees that both authorities are in different HMAs, however strategic working groups as set out in Table 1 that cross Surrey authorities may consider strategic housing matters relevant to both authorities. The Scoping Framework makes clear that some duty to co-operate bodies will be more relevant to each Matter than others and that this will be detailed out further in the next stage. It is considered appropriate to identify all Surrey Authorities at this stage and no changes are proposed. This is consistent with the previous Scoping Framework where this issue was not raised by RBBC.
Runnymede Borough	Correction suggested to Table 1 regarding Surrey Planning Officers Association.	Noted, correction made.
	Matter 5 – Green Belt: Raises the issue of the Green Belt boundary at Longcross as a strategic cross boundary matter having regard to the removal of the Longcross Garden Village site in Runnymede being returned to the Urban Area on adoption of the Local Plan.	Noted, no change proposed. This issue will be part of relevant duty to cooperate discussions.
	Matter 7- Transport: Queries whether the proximity of the Borough to the M25	Agreed, reference to the M25 is added.

	should be mentioned. If development were to result in a material increase in traffic flows through Runnymede this would be a relevant strategic cross boundary matter that would need to be discussed particularly as this could relate to additional impacts on the A320 corridor.	
	Matter 9 – Utilities: Queries whether Runnymede should be identified as a relevant partner given that the Longcross Garden Village site straddles the borough boundary.	Agreed, Runnymede added to Matter 9.
Spelthorne	No response received	
Tandridge District	No comments to make.	Noted
Waverley Borough	No specific comments although note that only adjoining authorities are identified under the Gypsy and Traveller and Travelling Showpeople Matter.	Noted, no change proposed.

## Berkshire Unitary Authorities

Respondent	Summary of Response	Councils Response
Bracknell Forest Borough	Matter 8 – Social Infrastructure – as development in Surrey Heath could impact upon schools and use of health facilities in Bracknell Forest, request that they be added to this Matter.	Noted – Bracknell Forest to be added to Matter 8.
Royal Borough of Windsor and Maidenhead	No response received	
Wokingham Borough	Agree with all Matters identified. Notes that it is unable to meet any unmet needs from Surrey Heath, nor is it appropriate due to the distance from the Borough. Housing needs should be met within the Housing Market Area.	Noted, no change proposed.

## Hampshire County Council and Local Authorities

Respondent	Summary of Response	Councils Response
Hampshire County Council	No response received	
Basingstoke & Deane Borough	No response received	

Hart District	Support the Matters identified. Questioned whether there should be reference to the Joint Hart, Rushmoor and Surrey Heath Working Group that met to discuss cross boundary housing and employment issues and requested some clarifications in relation to the Hart Local Plan.	Reference to the Joint Member Working Group has been added and amendments made to references to the Hart Local Plan.
Rushmoor Borough	Confirmed that they agree with Rushmoor being identified as a relevant partner against the 10 Matters.	Noted.

## Prescribed Bodies

Respondent	Summary of Response	Councils Response
Civil Aviation Authority	No response received	
Northwest Surrey CCG (Clinical Commissioning Group)	No response received	
Surrey Heath CCG (Clinical Commissioning Group)	No response received	
Enterprise M3 LEP	No response received	
Environment Agency	Note that they do not normally comment on these documents but are happy to continue to engage on the plan preparation and consultations.	Noted, no change proposed.
Highways England	No comments to make. However, would welcome early engagement to identify the potential impacts of delivering the Spatial	Noted, no change proposed.

	Strategy on the highways network (including the Strategic Highways Network) and identify any mitigation that is likely to be required and how this will be delivered. Highways England welcome promotion of sustainable travel and wish to continue to be consulted.	
Historic England	Notes a number of heritage assets that adjoin or straddle the borough boundary that might be affected by strategic matters. Request identification as a relevant body in Matter 3: 'Economic growth including Retail' in view of potential impacts on the historic character of town centres.	Noted and added to Matter 3. Additional wording added under Matter 5 to reference potential cross boundary heritage matters.
Homes England	No response received	
Mayor of London	Suggest that the Wider South East Partnership is added in to Table I and that TfL is added under Matter 7 – Transport.	Agreed, amendments made to Table I and TfL added under Matter 7.
National Health Service Commissioning Board	No response received	
Natural England	Considers that the scoping does not pose any likely risk or opportunity in relation to their statutory purpose, and so does not wish to comment.	Noted
Office of Rail and Road	No response received	
Surrey Nature Partnership	No response received	

Transport for London	Request that TfL is specifically identified as a Duty to Cooperate authority under Infrastructure – Matter 7 (Transport) as there may be strategic and cross boundary transport issues that have implications for TfL projects, services or infrastructure.	Agreed, TfL added under Matter 7.
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## Other Consultees

Respondent	Summary of Response	Councils Response
Affinity Water	Response provides detail relating to assessment of spatial strategy and site specific allocations as well as general information on infrastructure needs.	Noted, no change proposed.
Chobham Parish Council	<p>Welcomes a review of the duty to co-operate matters.</p> <p>Does not consider that aviation is given sufficient consideration as a strategic planning matter.</p> <p>Highlights the role of Fair Oaks Airport in the national general aviation network. Suggest that the strategic importance of aviation to the local and regional economy be included as a distinct discussion under “Matter 3: Delivering Economic growth</p>	<p>Noted.</p> <p>Reference to Fair Oaks Airport added in to Matter 7 as for other transport matters.</p> <p>The economic role of specific sites/activities in the Borough that have a wider than local impact are not identified in the Scoping and will be picked up through the evidence base and cross boundary planning discussions.</p>

Respondent	Summary of Response	Councils Response
	<p>including retail” and “Matter 7: Transport”.</p> <p>The omission of any detail as to the role and issues faced concerning aviation in the borough is felt to be an oversight.</p>	<p>However, some additional wording to cover this has been added to Matter 3.</p>